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Economic Commission for Europe

Inland Transport Committee

Working Party on Rail Transport

Group of Experts towards Unified Railway Law

Seventh session
Geneva, 3–4 April 2014
Item 1 of the provisional agenda
Adoption of the agenda

Annotated provisional agenda for the seventh session[1, 2]

To be held at the Palais des Nations, Geneva
starting at 10.00 a.m. on Thursday, 3 April 2014

I. Provisional agenda

1. Adoption of the agenda.

2. Analysis of existing international modal transport conventions (rail, road, air, inland water and maritime transport) and related agreements.

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[1] Delegates are requested to complete the registration form available for download at the UNECE Transport Division's website www.unece.org/trans/registfr.html. It should be transmitted to the UNECE secretariat no later than one week prior to the session by e-mail (sc.2@unece.org) or by fax (+41 22 917 0039). Upon arrival at the Palais des Nations, delegates should obtain an identification badge at the UNOG Security and Safety Section, located at the Pregny Gate (14, Avenue de la Paix). In case of difficulty, please contact the secretariat by telephone (ext. 740 30). For a map of the Palais des Nations and other useful information, see website www.unece.org/meetings/practical.htm.

[2] For reasons of economy, delegates are requested to bring copies of all relevant documents to the session. There will be no documentation available in the conference room. Before the session, documents may be downloaded from the UNECE Transport Division's website www.unece.org/trans/main/sc2/sc2.html. On an exceptional basis, documents may also be obtained by e-mail (sc.2@unece.org) or by fax (+41 22–917 0039). During the session, official documents may be obtained from the UNOG Documents Distribution Section (Room C.337, third floor, Palais des Nations).

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3. Unification of international railway law with the objective of allowing rail carriage under a single legal regime.

4. Identifying an appropriate management system for unified railway law based on the experience of international organizations in the field of the railway transport.

5. Other business.

6. Date of next session.

7. Summary of decisions.

II. Annotations

1. Adoption of the agenda

The first item to be considered is the adoption of the agenda.

Documentation

ECE/TRANS/SC.2/GEURL/2014/1

2. Analysis of existing international modal transport conventions (rail, road, air, inland water and maritime transport) and related agreements

The Group of Experts may wish to recall that at its previous session, none of the experts had transmitted comments on the correctness and completeness of outline provided by the secretariat (ECE/TRANS/SC.2/GEURL/2013/4) which reviews some of the key provisions of international arrangements and legal instruments. This aims to identify elements and mechanisms as well as best practices that could be relevant for establishing a unified railway regime (ECE/TRANS/SC.2/GEURL/2013/8, paras. 13–15).

The secretariat invited the Group of Experts to transmit to the secretariat, before the next session, written comments on the correctness and completeness of the outline. The secretariat would consolidate this information in the form of a background document for further review by the Group of Experts.

Documentation

ECE/TRANS/SC.2/GEURL/2013/4

3. Unification of international railway law with the objective of allowing rail carriage under a single legal regime

The Group of Experts may wish to recall that at its previous session, it had taken account of information and proposals provided by the secretariats of the Intergovernmental Organization for International Carriage by Rail (OTIF) and the Organization for Cooperation between Railways (OSJD) on the general framework of uniform Euro-Asian law for the transport of goods by rail and referring to the relevant provisions of COTIF/CIM and SMGS (ECE/TRANS/SC.2/GEURL/2013/10 and ECE/TRANS/SC.2/GEURL/2013/11).

In order to arrive at a common understanding on the concepts and explanatory legal provisions to be enshrined into a new international legal railway regime, the Group of Experts undertook a first review of columns 3 and 4 of secretariat document

ECE/TRANS/SC.2/GEURL/2013/9 containing an evaluation of relevant legal provisions of COTIF/CIM and SMGS as well as first elements and a possible wording of some specific legal provisions that could be included into a legal instrument for Euro-Asian rail freight transport. This exchange of views was performed article by article starting with newly proposed Article A (Scope of Application) and up to article I (Evidential value of the consignment note) (ECE/TRANS/SC.2/GEURL/2013/8, paras. 17–39).

Based on this first review of the conceptual and legal basis of a new international railway regime, the secretariat was requested to reflect on the specific suggestions made at the previous session and further possible wording of specific legal provisions as already contained until Article I in column 4 of the document ECE/TRANS/SC.2/GEURL/2013/9.

The Group of Experts may wish to continue its review based on ECE/TRANS/SC.2/GEURL/2014/5.

The Group of Experts may also wish to take account of documents ECE/TRANS/SC.2/GEURL/2014/3 and ECE/TRANS/SC.2/GEURL/2014/4 transmitted by OTIF and OSJD respectively.

Documentation

ECE/TRANS/SC.2/GEURL/2014/3, ECE/TRANS/SC.2/GEURL/2014/4, ECE/TRANS/SC.2/GEURL/2014/5

4. Identifying an appropriate management system for unified railway law based on the experience of international organizations in the field of the railway transport

The Group of Experts may wish to recall that at its previous session, the secretariat introduced ECE/TRANS/SC.2/GEURL/2013/12 which provided detailed information transmitted by OSJD and OTIF from Informal documents SC.2/GEURL Nos. 2 and 3 (2013) and contained a preliminary analysis of pertinent management issues enshrined in other transport conventions/agreements. Due to a lack of time, the Group of Expert did not consider this document.

On the basis of ECE/TRANS/SC.2/GEURL/2013/12, the Group of Experts may wish to consider and discuss a review and preliminary analysis of pertinent management issues as prepared by the secretariat.

Documentation

ECE/TRANS/SC.2/GEURL/2013/12

5. Other business

At present, there are no proposals under this item. Proposals can be transmitted to the UNECE secretariat (sc.2@unece.org).

6. Date of next session

The next session of the Group of Experts is scheduled to be held at the Palais des Nations in Geneva on 10–11 July 2014.

7. Summary of decisions

In accordance with established practice, the Chair will briefly summarize the decisions taken. Following the session, the UNECE secretariat, in cooperation with the Chair and Vice-Chair, will draft the final report.